

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARLOS WILLIAMS,

Plaintiff,

Case No. 05-70432

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

DEBORAH RIES, et al.,

Defendants.

ORDER

Plaintiff has filed a motion to file amended complaint [Docket #12]. He filed his original complaint on February 14, 2005, and his amended complaint on April 8, 2005. To date, no Defendant has filed an answer or other responsive pleading to either complaint. Under Fed.R.Civ.P. 15(a), “a party may amend the party’s pleading once as a matter of course at any time before a responsive pleading is served.” Therefore, it was not necessary for Plaintiff to file this motion, and his amended complaint was properly filed and docketed under Docket #13. Accordingly, the motion to file amended complaint [Docket #12] is DISMISSED AS MOOT.

SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: June 24, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 24, 2005.

s/G. Wilson

Judicial Assistant